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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 29, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

KAYLENE B.,

Plaintiff,

v.

ANDREW M. SAUL, Commissioner
of the Social Security Administration,

Defendant.

No: 2:20-CV-00074-FVS

ORDER GRANTING STIPULATED
MOTION FOR REMAND

BEFORE THE COURT is the parties' Stipulated Motion for Remand pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 24. The Plaintiff is represented by Attorney Kevin S. Kerr. The Defendant is represented by Special Assistant United States Attorney Lisa Goldoftas.

After consideration, **IT IS HEREBY ORDERED** that the Stipulated Motion for Remand, ECF No. 24, is **GRANTED**. The Commissioner's final decision is reversed and remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand to the Commissioner of Social Security, the Appeals Counsel should remand this case to the Administrative Law Judge (ALJ) for a de novo hearing and a new decision. On remand, the ALJ shall do the

following: (1) reevaluate Plaintiff's headaches and any functional limitations; (2) further evaluate the medical opinions of Tamara Bruns, ARNP, and Wayne Kidder, M.D.; and (3) reconsider Plaintiff's residual functional capacity. If warranted, the ALJ shall seek supplemental vocational expert evidence to determine whether there are a significant number of jobs in the national economy that Plaintiff can perform.

The parties stipulate that this case be reversed and remanded to the ALJ on the above grounds pursuant to sentence four of 42 U.S.C. § 405(g). Therefore, the matter is remanded to the Commissioner for additional proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Upon proper presentation, this Court will consider Plaintiff's application for costs and attorney's fees under 28 U.S.C. § 2412(d).

It is **FURTHER ORDERED** that Plaintiff's Motion for Summary Judgment, **ECF No. 17**, is **DENIED** as moot, given the parties' motion for remand.

The District Court Executive is hereby directed to enter this Order and provide copies to counsel, enter judgment in favor of the Plaintiff, and **CLOSE** the file.

DATED April 29, 2021.

s/Fred Van Sickel

Fred Van Sickle
Senior United States District Judge